

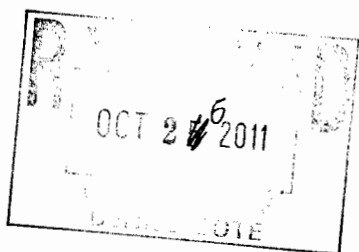


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October 25, 2011

By Hand Delivery

MEMO ENDORSED

The Honorable Denise L. Cote
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

10/26/2011

Re: *Energy Brands Inc. d/b/a Glacéau v. Ecosentials LLC*, 11 Civ. 6940 (DLC)

Dear Judge Cote:

This firm, together with Quarles & Brady LLP, represents Ecosentials, LLC ("Ecosentials") in the above-referenced trade dress infringement action. This is a joint letter on behalf of Ecosentials and Plaintiff Energy Brands Inc. d/b/a Glacéau ("Glacéau"), to inform the Court that the parties have reached a settlement in principle today.

Glacéau has agreed to withdraw its motion for a preliminary injunction and its claims of infringement, based on Ecosentials' representation that it will only proceed to market with its Vitamin Squeeze product using the label attached as Exhibit 1. Accordingly, the parties respectfully request that the deadlines ordered by the Court in its Order dated October 20, 2011, be cancelled.


The parties are in the process of finalizing a settlement agreement that they hope will fully resolve this dispute. Ecosentials' deadline to respond to the Complaint is today, October 25, 2011. Ecosentials requests a brief, one-week extension until November 1, 2011, to respond to the Complaint, pending the final resolution of this litigation. This is Ecosentials' first request for an extension of its time to respond to the Complaint and Glacéau consents to this request.

Granted. Status letter due
November 14, 2011.

Denise Cote
October 26, 2011

The Honorable Denise L. Cote
October 25, 2011
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Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'N. H. Klausner', written in a cursive style.

Neal H. Klausner

Enclosure

cc (by email):

Jyotin Hamid, Esq.
Michael J. Curley, Esq.
Michael C. Lasky, Esq.
Shirin Keen, Esq.

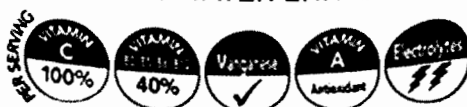
EXHIBIT 1

Sleeve Design

**NUTRITIOUS
& DELICIOUS!**
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Squeeze™**
WATER ENHANCER



ANTIOXIDANTS
AÇAÍ, GRAPE,
POMEGRANATE



NUTRIENT